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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09 890,326	07 30 2001	Tatsuya Ekinaka	OHSI-304	2053

7590 03 14 2003

Sherman & Shalloway  
413 North Washington Street  
Alexandria, VA 22314

EXAMINER

PENG, KUO LIANG

ART UNIT	PAPER NUMBER
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1712

DATE MAILED: 03 14 2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/890,326

Examiner

Kuo-Liang Peng

Applicant(s)

EKINAKA ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a) in no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply, and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10/25/01 IDS.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-20 and 23-26 is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 21 and 22 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: See Continuation Sheet

Continuation of Attachment(s) 6). Other: English translation of JP 09-011405.

### DETAILED ACTION

1. The Applicants' preliminary amendment filed on July 30, 2001 was received. Claims 4 and 6 are amended. Claims 19-26 are added.

#### *Claim Objections*

2. Claims 21-22 are objected to because of the following informalities:

It is noted that Claim 21 cannot depend on itself.

Appropriate correction is required.

#### *Allowable Subject Matter*

3. Claims 1-20 and 23-26 are allowed.

4. The following is an examiner's statement of reasons for allowance:

Hanada (JP 09-011405) discloses a plastic moldings with protected surface wherein the protected surface contains three layers, i.e., a first layer of acrylic resin, a second layer of acrylic resin and a third layer of siloxane resin ([0006]-[0012]). It is noted that the first layer of acrylic resin contains alkoxysilane of formula (A) ([0007]), while the second layer of acrylic resin does not contain the aforementioned alkoxysilane ([0010]-[0011]). In other words, the first layer of acrylic resin and the second layer of acrylic resin are distinct. Therefore, Hanada does not teach or fairly suggest a protected surface having a layer of siloxane resin on a single layer of acrylic resin. Although comparison Example 1 and comparison Example 3 ([0118] and [0120]) teaches the aforementioned layer 3 on top of either layer 1 or layer 2 (i.e., either layer 1 or layer 2 is not

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present). However, the compositions of layer 3 in the instant comparison examples do not contain tetraalkoxysilane ([0113]). Therefore, Hanada does not teach or fairly suggest a protected surface having a layer of siloxane resin on a single layer of acrylic resin, wherein the layer of siloxane resin contains a hydrolysis condensate of a trialkoxysilane and a hydrolysis condensate of a tetraalkoxysilane.

Tateoka (US 4,708,908) (corresponding to JP 61-86259) discloses a surface-hardening coating on a plastic body (col. 1, lines 40-43). The surface-hardening coating contains a primer layer of an acrylic resin base (col. 2, line 58-59) and a hard-coat layer (col. 3, lines 1-2). The hard-coat layer can contain colloidal silica and methyl sesquisiloxane (i.e., derived from methyltrialkoxysilane) (col. 5, lines 26-27). However, Tateoka does not teach or fairly suggest the use of a hard-coat layer contains a hydrolysis condensate of a trialkoxysilane and a hydrolysis condensate of a tetraalkoxysilane.

Konishi (US 5,725,960) discloses a hard coat layer on the surface of molded articles using a primer layer between the hard coat layer and the surface of molded articles (col. 1, line 61 to col. 2, line 3). The primer layer can be acrylic resins (col. 6, lines 45-67). The silicone hard coating can contain colloidal silica and hydrodrolysis condensate of silane compounds (col. 7, line 40 to col. 8, line 16). At least one silane compouds can be used (col. 14, lines 4-14). However, Konishi does not teach or fairly suggest the use of colloidal silica and the mixture of silane compounds in the specific relative amounts set forth in the present invention.

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kuo-Liang Peng whose telephone number is (703) 306-5550.

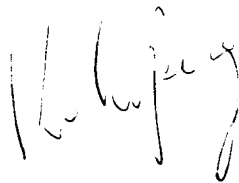
The examiner can normally be reached on Monday-Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Dawson, can be reached on (703) 308-2340. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9310.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

Kuo-Liang Peng

March 10, 2003

A handwritten signature in black ink, appearing to read 'K. Peng', is written over the typed name and date.